

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

Stanford L. Burris

Plaintiff,

v.

Richards Paving, Inc.

Defendant

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Civ. No. 04-1469-SLR

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2005, it is ORDERED that Defendant Richards Paving, Inc., s' Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim Upon Which Relief can be Granted, pursuant to Rule 12(b)(6) is hereby GRANTED.

IT IS FURTHER ORDERED that plaintiffs' complaint having been dismissed for failure to state a claim upon which relief can be granted, plaintiff's cause of action against Defendant Richards Paving, Inc., is hereby DISMISSED with prejudice.

**IT IS SO ORDERED**

\_\_\_\_\_  
J.